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BEFORE THE  
Federal Communications Commission

WASHINGTON, D.C.

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In the Matter of )  
 )  
Allocation of Spectrum )  
Below 5 GHz Transferred )  
From Federal Government )  
Use )

ET Docket No. 94-32

RECEIVED  
JAN 6 1995  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

**REPLY COMMENTS OF  
AMERICAN MOBILE SATELLITE CORPORATION**

American Mobile Satellite Corporation ("AMSC") hereby submits its Reply Comments on the Commission's Notice of Proposed Rulemaking ("NPRM") in the above-referenced proceeding.<sup>1/</sup> The NPRM proposes that the 2390-2400 MHz and 2402-2417 MHz bands being transferred from the federal government to private sector usage be allocated for Fixed and Mobile services. The NPRM also seeks comment on the possible allocation of these bands to the Mobile Satellite Service ("MSS"). AMSC has filed comments

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<sup>1/</sup> AMSC is the parent corporation of AMSC Subsidiary Corporation, the FCC licensee of the U.S. Mobile Satellite Service system, which is preparing for the launch of its first satellite in March, and the commencement of full service operations a few months later. AMSC is also the parent corporation of Personal Communications Satellite Corporation, which has applied to construct an MSS system in the 2 GHz band, and American Mobile Radio Corporation, which has applied to construct a Digital Audio Radio Service Satellite System in the 2310-2360 MHz band. AMSC's owners include such communications industry leaders as GM Hughes Electronics Corporation; AT&T; Mobile Telecommunications Technologies Corporation; and Singapore Telecommunications, Ltd.

previously in this matter discussing the utility of the 2390-2400 MHz and 2402-2417 MHz bands and supports this allocation to MSS for use in the space-Earth direction.<sup>2/</sup> AMSC also believes that any action the Commission decides to take on this matter should be coordinated with U.S. policy for the upcoming WRC-95.

Several of the comments filed in response to the NPRM in this proceeding discuss the possible use of the transferred bands for MSS. Loral/Qualcomm Partnership, L.P. ("LQP") specifically urges the allocation of the 2390-2400 MHz and 2402-2417 MHz for non-geostationary mobile satellite service, citing the rapidly expanding MSS market and relative scarcity of spectrum allocated for such use.<sup>3/</sup> Other parties addressing the use of these bands for MSS, however, express concern that such use would cause harmful interference to existing use of the 2400-2500 MHz band by Part 15 devices, as well as radio astronomy users operating in the 2380 MHz band.<sup>4/</sup>

AMSC supports LQP's comments regarding the growing domestic and global demand for MSS, and the need for the Commission to

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<sup>2/</sup> See, e.g., Comments of American Mobile Satellite Corporation, ET Docket No. 94-32 (June 15, 1994); Comments of American Mobile Satellite Corporation, IC Docket No. 94-31 (July 15, 1994).

<sup>3/</sup> Comments of Loral/Qualcomm Partnership, L.P. (December 19, 1994).

<sup>4/</sup> See, e.g., Comments of International Business Machine (December 19, 1994); Comments of Andrew Corporation (December 19, 1994); Comments of The National Academy of Sciences (December 19, 1994); Comments of Cornell University (December 19, 1994).

take all possible steps to maximize the allocation of spectrum for this service. However, AMSC believes that allocation of spectrum should be to MSS generally and not be limited to non-geostationary systems. There is a shortage of spectrum for both geostationary and non-geostationary systems.

The concerns regarding interference caused by MSS downlink use of the 2390-2400 MHz and 2402-2417 MHz bands are insufficiently supported to warrant Commission refusal to proceed with an allocation to MSS. None of the parties addressing such concerns have offered any technical analysis demonstrating that MSS downlink must necessarily interfere with current Part 15 or radio astronomy use.<sup>5/</sup> MSS downlink allocation would be less likely to cause prohibitive interference to such use than would terrestrial or mobile services for which the Commission has proposed allocation. In any event, AMSC is willing to undertake further study and discussion with interested parties in order to better develop more information regarding such possible interference. The Commission is considering allocation of this spectrum at present. Individual cases regarding interference between MSS downlink and Part 15 devices or radio astronomy users can be addressed at the licensing stage.

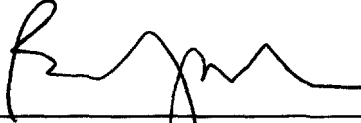
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<sup>5/</sup> At least two current Part 15 users filing comments in this proceeding indicated that they had insufficient evidence concerning possible interference caused by MSS downlinks to offer a meaningful opinion on this subject. See Comments of Digital Ocean, Inc. (December 19, 1994); Comments of 3Com Corporation (December 19, 1994).

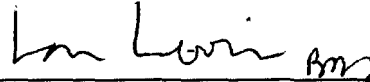
Therefore, AMSC urges the Commission to allocate these bands to MSS.

Respectfully submitted,

**AMERICAN MOBILE SATELLITE CORPORATION**



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January 6, 1995



**American Mobile Satellite Corporation**

**TECHNICAL CERTIFICATE**

I hereby certify that I am the technically qualified person responsible for preparation of the foregoing Reply of AMSC Subsidiary Corporation; that I am familiar with Part 25 of the Commission's Rules and Regulations; and that the technical information herein is complete and accurate to the best of my knowledge and belief.

By: Richard Evans  
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Date: January 6, 1995

**CERTIFICATE OF SERVICE**

I, Cynthia L. Smith, a secretary to the law firm of FISHER WAYLAND COOPER LEADER & ZARAGOZA L.L.P., hereby certify that on this 6th day of January, 1995, I served a true copy of the foregoing "**REPLY COMMENTS OF AMSC SUBSIDIARY CORPORATION**" by first class United States Mail, postage prepaid, upon the following:

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